

105TH CONGRESS
2D SESSION

H. R. 3678

To provide crop insurance, marketing loan, and emergency operating loan relief for agricultural producers in certain counties in the States of North Dakota and Minnesota that have been repeatedly designated as Federal disaster areas.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1998

Mr. PETERSON of Minnesota (for himself and Mr. POMEROY) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide crop insurance, marketing loan, and emergency operating loan relief for agricultural producers in certain counties in the States of North Dakota and Minnesota that have been repeatedly designated as Federal disaster areas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 In this Act:

5 (1) COVERED COUNTY.—The term “covered
6 county” means a county in the State of North Da-
7 kota or the State of Minnesota that, with respect to

1 a particular crop year during the period specified in
2 section 5, was included in whole or in part in a des-
3 ignated disaster area in at least three out of the pre-
4 ceding five crop years.

5 (2) DESIGNATED DISASTER AREA.—The term
6 “designated disaster area” means an area—

7 (A) covered by a Presidential declaration
8 of major disaster issued under section 401 of
9 the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C. 5170) on
11 account of damaging weather or a related con-
12 dition in the area; or

13 (B) determined to be a disaster area by
14 the Secretary of Agriculture under subpart A of
15 part 1945 of title 7, Code of Federal Regula-
16 tions, on account of damaging weather or a re-
17 lated condition in the area.

18 **SEC. 2. SPECIAL CROP INSURANCE RULES FOR COVERED**
19 **COUNTIES.**

20 (a) MULTI-PERIL CROP INSURANCE.—For purposes
21 of administering the Federal Crop Insurance Act (7
22 U.S.C. 1501 et seq.) for producers operating in a covered
23 county, the Federal Crop Insurance Corporation may
24 not—

1 (1) include the producer in any nonstandard
 2 classification list; and

3 (2) determine, without the consent of the pro-
 4 ducer, the actual production history of the producer
 5 using production records of any crop year during
 6 which the covered county was included in a des-
 7 ignated disaster area.

8 (b) FARM REVENUE COVERAGE PILOT PROGRAM.—

9 In addition to the revenue insurance pilot program under
 10 section 508(h)(9) of the Federal Crop Insurance Act (7
 11 U.S.C. 1508(h)(9)), the Secretary of Agriculture shall
 12 provide producers operating in a covered county with the
 13 option of procuring insurance against loss of revenue. The
 14 revenue insurance provided shall be based on one or both
 15 of the following actuarially sound proposals:

16 (1) Production area revenue.

17 (2) Per acre input coverage.

18 (c) EFFECTIVE DATE.—This section shall apply be-
 19 ginning with the 1999 crop year for each commodity that
 20 is grown in a covered county and for which multi-peril
 21 crop insurance is generally available in the United States.

22 **SEC. 3. SPECIAL MARKETING ASSISTANCE LOAN RULES**
 23 **FOR COVERED COUNTIES.**

24 (a) LOAN RATES.—For purposes of determining the
 25 loan rate for a marketing assistance loan under section

1 131 of the Agricultural Market Transition Act (7 U.S.C.
 2 7231) for wheat, a feed grain, or an oilseed grown in a
 3 covered county, subsection (a)(1)(B), subsection
 4 (b)(1)(B), and the upper limits specified in paragraphs
 5 (1)(B) and (2)(B) of subsection (f) of section 132 of such
 6 Act (7 U.S.C. 7232) shall not apply.

7 (b) EXTENSION OF LOANS.—Notwithstanding section
 8 133 of the Agricultural Market Transition Act (7 U.S.C.
 9 7233), the Secretary of Agriculture may extend, for a pe-
 10 riod not to exceed 6 months, the term of a marketing as-
 11 sistance loan made under section 131 of such Act (7
 12 U.S.C. 7231) to a producer operating in a covered county.

13 **SEC. 4. SPECIAL EMERGENCY OPERATING LOAN RULES**
 14 **FOR COVERED COUNTIES.**

15 For purposes of applying section 329 of the Consoli-
 16 dated Farm and Rural Development Act (7 U.S.C. 1970)
 17 to determine the eligibility of a producer operating in a
 18 covered county for an emergency loan under subtitle C of
 19 such Act, the Secretary of Agriculture shall not determine
 20 normal per acre or per animal production using any crop
 21 year during which the covered county was included in a
 22 designated disaster area.

1 **SEC. 5. APPLICATION OF ACT.**

2 The special rules required by this Act shall apply in
3 covered counties during the 1999 through 2002 crop
4 years.

